

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

FELICIA ROSS,	)	CASE NO. 5:14CV1886
	)	
	)	
PLAINTIFF,	)	JUDGE SARA LIOI
	)	
vs.	)	
	)	MEMORANDUM OF OPINION
	)	AND ORDER
ROCKWELL AUTOMATION, et al,	)	
	)	
	)	
DEFENDANTS.	)	

Plaintiff *pro se* Felicia Ross brings this *in forma pauperis* action against Defendants Rockwell Automation (“Rockwell”), Daniel Bates, Steve Humes, Norman Shealy, “Denise,” Mark Boggs, “Marty,” and Nehal Burgess. Plaintiff alleges in the complaint that she was employed by Rockwell until her termination in November 2013, and asserts discrimination in employment based on age and religion.

Although *pro se* pleadings are liberally construed, *Boag v. MacDougall*, 454 U.S. 364, 365, 102 S. Ct. 700, 70 L. Ed. 2d 551 (1982) (per curiam); *Haines v. Kerner*, 404 U.S. 519, 520, 92 S. Ct. 594, 30 L. Ed. 2d 652 (1972), the district court is required to dismiss an action under 28 U.S.C. § 1915(e) if it fails to state a claim upon which relief can be granted, or if it lacks an arguable basis in law or fact. *Neitzke v. Williams*, 490 U.S. 319, 109 S. Ct. 1827, 104 L. Ed. 2d 338 (1989); *Lawler v. Marshall*, 898 F.2d 1196 (6th Cir. 1990); *Sistrunk v. City of Strongsville*, 99 F.3d 194, 197 (6th Cir. 1996).

While plaintiff's claims against Rockwell may have arguable merit, the same cannot be said regarding her claims against the other defendants, who were her co-workers or supervisors at Rockwell. The Sixth Circuit Court of Appeals has held that "an individual employee/supervisor, who does not otherwise qualify as an 'employer,' may not be held personally liable under Title VII." *Wathen v. Gen. Elec. Co.*, 115 F.3d 400, 405 (6th Cir.1997); *see also Ulmer v. Dana Corp.*, 115 F. App'x 787, 788 (6th Cir. 2004) (Title VII does not encompass claims against supervisors in their individual capacities); *Thanongsinh v. Bd. of Educ.*, 462 F.3d 762, 771 (7th Cir. 2006) (recognizing that Title VII claim against individual supervisor is redundant and synonymous with claim against employer).

Accordingly, defendants Daniel Bates, Steve Humes, Norman Shealy, "Denise," Mark Boggs, "Marty," and Nehal Burgess are **DISMISSED** pursuant to 28 U.S.C. § 1915(e), and the Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal from their dismissal could not be taken in good faith. The Clerk's Office is directed to forward the appropriate documents to the U.S. Marshal for service of process on Rockwell Automation. **A copy of this order shall be included with the documents to be served.**

**IT IS SO ORDERED.**

Dated: October 16, 2014

  
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**HONORABLE SARA LIOI**  
**UNITED STATES DISTRICT JUDGE**